

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ROBERT HISAOKA,

: Docket No. 16-CV-02445

Plaintiff,

: STIPULATION OF SETTLEMENT

- against -

:

ANTIQUORUM USA, INC.,

:

Defendant.

:

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IT IS HEREBY STIPULATED AND AGREED, by and between counsel for the respective parties in the within action, that the prior Stipulation of Settlement between the parties dated April 26, 2016 is hereby superseded and replaced by this Stipulation of Settlement, and the within action is hereby settled under the following terms and conditions:

1. Defendant shall pay to Plaintiff the aggregate sum of One Hundred Seventy Thousand Dollars (\$170,000.00) in full satisfaction of all claims asserted in the within action (the "Settlement Amount"). The Settlement Amount shall be paid as follows:

(a) The sum of Eighty-Five Thousand Dollars (\$85,000.00) shall be paid upon the execution of this Stipulation of Settlement by way of wire transfer to Plaintiff into such account as Plaintiff may hereafter direct in writing.

(b) The sum of Thirty-Five Thousand Dollars (\$35,000.00) shall be paid on or before May 20, 2016 by way of wire transfer to Plaintiff into such account as Plaintiff may hereafter direct in writing.

(c) The sum of Fifty Thousand Dollars (\$50,000.00) shall be paid on or before May 31, 2016 by way of wire transfer to Plaintiff into such account as Plaintiff may hereafter direct in writing.

2. Upon receipt of the entirety of the Settlement Amount, Plaintiff's counsel shall immediately file a Notice of Dismissal with Prejudice pursuant to Rule 41 of the Federal Rules of Civil Procedure.

3. In the event that Defendant fails to make any of the payments described in ¶ 1 of this Stipulation of Settlement, the Clerk of the Court shall enter judgment against Defendant, pursuant to Rule 58(b)(1)(B) of the Federal Rules of Civil Procedure, for One Hundred Seventy Thousand Dollars (\$170,000.00), plus interest pursuant to 28 U.S.C. § 1961 from January 25, 2016 to the date of entry of Judgment, less any payments made pursuant to this Stipulation of Settlement.

4. This Court shall retain and have exclusive jurisdiction to adjudicate any dispute arising under or related to this Stipulation of Settlement, even after the filing of a Notice of Dismissal pursuant to Paragraph 2 of this Stipulation of Settlement.

Dated: May 20, 2016

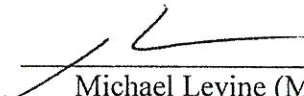
SHAPIRO LIFSCHITZ & SCHRAM, P.C.

By: 

Laura Fraher (LF1466)

1742 N Street, NW  
Washington, D.C. 20036  
Telephone (202) 689-1900  
Facsimile (202) 689-1901  
e-mail: fraher@slslaw.com

LEVINE & ASSOCIATES, P.C.

  
Michael Levine (ML5153)

15 Barclay Road  
Scarsdale, NY 10583  
Telephone (914) 600-4288  
Facsimile (914) 725-4778  
ml@LewLaw.org

SO ORDERED:

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HON. JED S. RAKOFF, U.S.D.J.